

**MINUTES OF THE JONESTOWN BOARD OF ADJUSTMENTS & APPEALS MEETING
HELD JULY 26, 2021, 5:30 P.M., AT THE CITY COUNCIL CHAMBER, 18649 FM 1431,
SUITE 3A, JONESTOWN, TEXAS.**

Sara Jane Cantwell (Place 1) Robert L. Rogers, Vice Chair (Place 2)	Jim Etherton, (Place 3) Henry Mayes (Place 4) Paul Dertien (Place 5)	Kara Trissel (Alternate 1) Jona TenEyck (Alternate 2)
--	--	--

A. ITEMS OPENING MEETING:

1. CALL TO ORDER

CHAIRMAN

Chair Rogers called the meeting to order at 5:30 p.m.

2. ROLL CALL

SECRETARY

Present: Chair Rogers, Members Etherton, Cantwell, TenEyck, Trissell

Absent: Vice Chair Mayes, Member Dertien

Staff Present: City Administrator Jones, Development Services Director Jolly, Building Official Ubelhor, Planning Intern Lapano

3. APPROVAL OF MINUTES

June 28, 2021 meeting

A motion was made by Board Member Cantwell and seconded by Board Member Trissell to approve the minutes of the June 28, 2021 meeting. The motion passed unanimously.

B. GENERAL BUSINESS:

4. a. PUBLIC HEARING on a request for a variance from the Jonestown Code of Ordinances, Chapter 14 Zoning, Sec. 14.02.061 (h) (1) and (3), by Don and Gina Byers for width and slope of a driveway located at 11006 West Lake Terrace (Lot 469A Jonestown Hills Amended Plat of Lots 469 and 471), Jonestown, TX.

Don Byers and Gina Valenti Byers attended the public hearing to address questions regarding their driveway variance request. They have a circular driveway which is 26-ft. wide on the left entrance and 22-ft. wide on the right entrance. City ordinance requires the circular driveways to be 15-ft. wide. The applicants responded to Board member questions regarding why the driveway was not permitted and explained the wider driveway improved drainage and erosion concerns. Also, they are planning to apply for a building permit for a garage which would be accessed by the left side of the circular driveway. There being no other citizens wishing to speak, Chair Rogers closed the public hearing.

b. Consideration and possible action on the above request for a variance from the Jonestown Code of Ordinances, Chapter 14 Zoning, Sec. 14.02.061 (h) (1) and (3), by Don and Gina Byers for width and slope of a driveway located at 11006 West Lake

Terrace (Lot 469A Jonestown Hills Amended Plat of Lots 469 and 471), Jonestown, TX.

Board members discussed this request for variance and directed questions to the applicants and to City staff. Following discussion, Board member Cantwell motioned to approve the circular driveway located at 11006 West Lake Terrace constructed with the 26-ft. apron on the left side and 22-ft. apron on the right side. The motioned was seconded by Board Member Trissell. A vote was taken and Board Members Cantwell, Trissell, and Etherton voted to approve the variance request. Chair Rogers and Board Member TenEyck voted in opposition. With four votes required to approve the variance, the motion failed.

Board member Etherton suggested an alternate resolution to allow the applicants and city staff to work out a compromise to address driveway width and drainage and erosion concerns. Board member Etherton motioned to postpone the decision until the August 30, 2021 meeting of the Board of Adjustments and Appeals for a resolution to be worked out with the applicants and city staff. The motion was seconded by Board member Cantwell and passed unanimously.

5. PUBLIC HEARING on a request for a variance from the Jonestown Code of Ordinances, Chapter 14 Zoning, Sec. 14.02.061(b) Chart 4. Setbacks, Minimum and Maximum Square Footage, and Height Restrictions for Accessory Structures is requested by Lora Rand and Ednea Fernandes to allow for construction of a 1,285 sf accessory structure for property located at 17750 W Reed Park Rd, Lot 19 Blk B Grandacres, Jonestown, TX.

Applicant Lora Rand attended the public hearing along with her contractor David Rothenberg, Flint Arrow LLC Builders. Mr. Rothenberg provided construction details and aesthetics of the accessory structure including location and topography of the property. Board members questioned if the accessory structure should be attached to the primary structure, however, the building permit has already been issued and construction has begun. Ms. Rand and Mr. Rothenberg responded to board members questions regarding the hardship necessitating the oversized accessory structure and height. The accessory structure at its proposed location would not obstruct neighbor's views and would provide storage for their recreational vehicle which is currently parked in their driveway obstructing views. With construction of the primary structure started, it would be difficult to make modifications. There being no other citizens wishing to speak, Chair Rogers closed the public hearing.

b. Consideration and possible action on the above request for a variance from the Jonestown Code of Ordinances, Chapter 14 Zoning, Sec. 14.02.061(b) Chart 4. Setbacks, Minimum and Maximum Square Footage, and Height Restrictions for Accessory Structures is requested by Lora Rand and Ednea Fernandes to allow for construction of a 1,285 sf accessory structure for property located at 17750 W Reed Park Rd, Lot 19 Blk B Grandacres, Jonestown, TX.

Following discussion, Board member Trissell motioned to approve the variance request to allow the construction of the accessory structure to be increased from 800 sq.ft. as allowed in the Jonestown Code of Ordinances, Chapter 14 Zoning, Sec. 14.02.061(b) "Chart 4, Setbacks, Minimum and Maximum Square Footage, and Height Restrictions for Accessory Structures" to be increased to 1285 sq.ft. for property located at 17750 W Reed Park Road. The motion was seconded by Board member TenEyck and passed unanimously.

Board member Trissell motioned to approve a variance from the Jonestown Code of Ordinances, Chapter 14 Zoning, Sec. 14.02.061(b) "Chart 4, Setbacks, Minimum and Maximum Square Footage, and Height Restrictions for Accessory Structures" to allow the height of the accessory structure to be 22 feet, 6 inches. The motioned was seconded by Board member Cantwell. Board members who voted to approve were Chair Rogers, Board members Cantwell, Trissell, and TenEyck. Board member Etherton voted in opposition. With 4 votes to approve, the motion passed.

D. ADJOURNMENT

A motion was made by Board member Cantwell and seconded by Board member Trissell to adjourn. Motion passed unanimously. Chair Rogers adjourned the meeting at 7:00 p.m.

PASSED AND APPROVED AT A MEETING HELD ON AUGUST 30, 2021.




Robert Rogers, Chair

ATTEST:


Rachel Austin, City Secretary

**FINDINGS OF THE BOARD OF ADJUSTMENTS
CITY OF JONESTOWN**

Date of Meeting: July 26, 2021

Agenda Item Number: 5. Lora Rand and Ednea Fernandes, for the property located at 17750 W. Reed Park Road, Lot 19 Blk B Grandacres, Jonestown, Texas.

Type: X Variance Appeal Reconsideration

Description: A variance from the Jonestown Code of Ordinances, Chapter 14 Zoning Code, Article 14.02, Sec. 14.02.061(b)(1) Chart 4: Setbacks, Minimum and Maximum Square Footage, and Height Restrictions for Accessory Structures, to allow an accessory structure of 1,285 square feet.

Findings: The Board found sufficient evidence was presented to support a cause of hardship on the applicant if a variance was not granted.

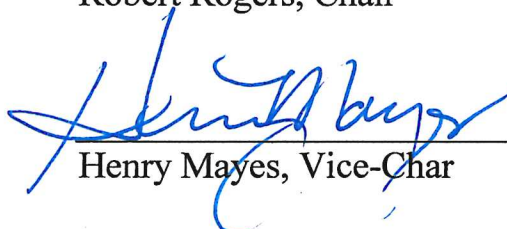
Support for Finding: Board members reviewed evidence provided by the applicant and found that the maximum square footage limit would cause undue hardship.

Motion and Second: Motion was made by Trissel to approve the request for a variance to allow an accessory structure of 1,285 square feet. Motion was seconded by Ten Eyck.

Vote: Rogers – Yes
 Ethernon – Yes
 Ten Eyck – Yes
 Trissell – Yes
 Cantwell – Yes



Robert Rogers, Chair



Henry Mayes, Vice-Chair

**FINDINGS OF THE BOARD OF ADJUSTMENTS
CITY OF JONESTOWN**

Date of Meeting: July 26, 2021

Agenda Item Number: 5. Lora Rand and Ednea Fernandes, for the property located at 17750 W. Reed Park Road, Lot 19 Blk B Grandacres, Jonestown, Texas.

Type: X Variance Appeal Reconsideration

Description: A variance from the Jonestown Code of Ordinances, Chapter 14 Zoning Code, Article 14.02, Sec. 14.02.061(b)(1) Chart 4: Setbacks, Minimum and Maximum Square Footage, and Height Restrictions for Accessory Structures, to allow an accessory structure with a maximum height of 22 feet, 6 inches.

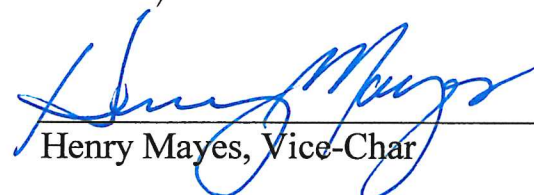
Findings: The Board found sufficient evidence was presented to support a cause of hardship on the applicant if a variance was not granted.

Support for Finding: Board members reviewed evidence provided by the applicant and found that the maximum height limit would cause undue hardship.

Motion and Second: Motion was made by Trissel to approve the request for a variance to allow the height of the accessory structure to be 22 feet, 6 inches. Motion was seconded by Ten Eyck.

Vote: Rogers – Yes
 Etherton – No
 Ten Eyck – Yes
 Trissell – Yes
 Cantwell – Yes


Robert Rogers, Chair


Henry Mayes, Vice-Chair